

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

BRUCE MERRYMAN	§	
VS.	§	CIVIL ACTION NO. 1:25-cv-319
DANA SULLIVAN	§	

MEMORANDUM OPINION AND ORDER

Plaintiff Bruce Merryman, an inmate confined at the Pack Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Dana Sullivan. Plaintiff states Defendant is an assistant warden at the Pack Unit.

Discussion

The Civil Rights Act, 42 U.S.C. § 1981, *et. seq.*, under which this case is brought, does not contain a specific venue provision. Accordingly, venue in civil rights cases is controlled by 28 U.S.C. § 1391. When, as in this case, jurisdiction is not founded solely on diversity of citizenship, Section 1391 provides that venue is proper only in the judicial district where the defendant resides or in which the claim arose. If a lawsuit is asserted in a judicial district where venue is not proper, the court shall dismiss, or if it be in the interests of justice, transfer the lawsuit to any district where it could have been brought. 28 U.S.C. § 1406(a).

Plaintiff complains of events which occurred at the Pack Unit. His claims therefore arose at the Pack Unit, which is in Grimes County, Texas. In addition, Defendant appears to reside in Grimes County. Pursuant to 28 U.S.C. § 124, Grimes County is located in the Houston Division of the Southern District of Texas. As a result, venue is not proper in this court. This case will therefore be transferred to the United States District Court for the Southern District of Texas.

**ORDER**

For the reasons set forth above, it is

**ORDERED** that this civil rights action is **TRANSFERRED** to the Houston Division of the United States District Court for the Southern District of Texas.

**SIGNED this the 9th day of July, 2025.**

A handwritten signature in black ink, appearing to read 'C. Stetson', is written above a horizontal line.

Christine L Stetson  
UNITED STATES MAGISTRATE JUDGE